

by such married woman before two of the perpetual Commissioners appointed under the provisions of the said Act passed in the Session of Parliament held in the third and fourth years of his late Majesty King William the Fourth.

Perpetual
commissioners
appointed
under Act
passed in 4th
and 5th years
of William IV.
to have and
exercise all
powers and
authority
vested in
commissioners
appointed
under
Act of 3rd
and 4th years
of William IV.

2. From and after the passing of this Ordinance all and every the powers and authority given by the said Ordinance of the second day of July to any two of the perpetual commissioners appointed or to be appointed under the provisions of the said Act passed in the Session of Parliament held in the third and fourth years of his late Majesty King William the Fourth, shall in respect of all deeds which shall have been or shall be executed in Ireland under the authority of the said Ordinance of the second day of July be vested in and may be exercised by any two of the perpetual commissioners appointed or to be appointed under the provisions of the said Act passed in the Session held in the fourth and fifth years of his late Majesty King William the Fourth.

Passed in Council this sixteenth day of May, in the year of our Lord one thousand eight hundred and sixty-five.

DAVID B. HORSFORD,

Acting Clerk of the Council.

No. 8.—1865.

16th May.

AN ORDINANCE for facilitating the despatch of business in the Supreme Criminal Court.

[L.S.]

J. H. T. MANNERS-SUTTON.

May 22, 1865.

WHEREAS it would tend to the shortening of the sessions of the Supreme Criminal Court, and to the relief of jurors and witnesses attending such sessions if provision were made for the holding of several trials

at one and the same time before different judges of the the said court : Be it enacted by His Excellency the Governor, with the advice and consent of the Legislative Council, as follows :

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Section 1 is repealed by Ordinance 15 of 1881, and 6 of 1882.

2. In every session of the Supreme Criminal Court two of the judges shall hold separate courts, one in the hall of justice and the other in the room known as the Practice Court, or some other convenient part of the court house, and each of the said judges shall try all offences, *not being treasons or felonies punishable with death*, which shall be brought before him for trial. Two judges shall hold separate courts during each Session.

3. The Solicitor-General, or in case of his absence or inability to act, such other counsel as may from time to time be appointed by the Governor for the purpose, shall conduct all trials to be had before one of the judges holding courts under this Ordinance, and for that purpose shall have all the powers, rights and privileges which the Attorney-General hath in the conducting of criminal prosecutions; but all indictments and other pleadings in such cases shall be prepared and signed by the Attorney-General. Solicitor-General or other counsel to conduct all trials had before one judge. Indictments to be prepared by the Attorney-General.

4. There shall be paid to the Solicitor-General or other counsel who may be so appointed for the purpose of such trials as hereinbefore mentioned, the sum of thirty guineas for every session at which he shall attend and conduct such trials. Thirty guineas to be paid to Solicitor-General or other counsel for conducting trials at each session.

5. The Marshal shall cause to be summoned for each session not less than seventy-two jurors, unless the Judges of the Supreme Criminal Court shall direct a smaller number to be summoned for any session. Marshal to summon not less than seventy-two jurors for each session.

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NOTE. The words printed in italics are repealed by Ordinance 6 of 1882.

Section 6 is repealed by Ordinance 15 of 1881 and 6 of 1882.

Judge may order payment of costs and expenses of witnesses.

7. It shall be lawful for any Judge before whom any trial shall be had under this Ordinance to order the payment of the costs and expenses, together with a reasonable compensation for the trouble and loss of time of any witness who shall appear on recognizance or subpoena to give evidence against any person, and also to order payment of the costs and expenses of any witness who shall appear on any subpoena to give evidence for the prisoner in any case where the Judge shall be satisfied of the inability of such prisoner to defray such costs and expenses; and the amount of such costs and expenses shall be certified by the Registrar of the Court and allowed by the Judge before whom such trial shall be had under his hand, and shall be paid to the persons entitled to receive the same by the Receiver-General.

Judges may make rules and regulations from time to time.

8. It shall be lawful for the Judges of the Supreme Criminal Court from time to time to make such rules and regulations as they shall see fit, for the better carrying into effect the objects of this Ordinance.*

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Section 9 is repealed by Ordinance 15 of 1881 and 6 of 1882.

Passed in Council this sixteenth day of May, in the year of our Lord one thousand eight hundred and sixty-five.

DAVID B. HORSFORD,
Acting Clerk of the Council.

* This Ordinance is made perpetual by Ordinance 4 of 1867.